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COMMUNITY APPEARANCE COMMISSIONS  
IN NORTH CAROLINA

by

John W. Shore, III

Approved by

Richard A. Moore, Jr. 8/17/72  
Chairman, Thesis Committee

Marvin E. Hoffman 8/17/72  
Assistant Professor of Political Science

David Little 8/17/72  
Assistant Professor of Political Science

Richard A. Moore, Jr. 8/17/72  
Chairman, Department of Political Science

Ernest Williams 8-17-72  
Dean of the Graduate School

## ABSTRACT

### Community Appearance Commissions in North Carolina

Community Appearance Commissions are relatively new in North Carolina. It was not until 1971 that the General Assembly provided enabling legislation which would allow communities to establish such commissions. Prior to 1971, one community - Chapel Hill - created a Community Appearance Commission through special legislation. This study examines a number of questions and attempts to reach some conclusions concerning a commission whose primary consideration is the subject area of aesthetics. The questions raised and to which some conclusions are reached include: what motivates a community to adopt a community appearance commission; what type of opposition will such a commission encounter in a community; and what form does such a commission take?

A hypothesis is proposed which suggest that communities which establish a community appearance commission will have a high level of community participation, resulting from a well developed sense of community; possess high levels of education and income and thus be public-regarding in terms of the Banfield and Wilson "'Ethos' theory,"; and, that they will have experienced a period of rapid growth which will have provided a sense of crisis as a result of rapidly changing surroundings.

This hypothesis and other questions raised has been examined through case studies of the appearance commissions in five North Carolina communities. Three communities -- Chapel Hill, Carrboro and Shelby -- have established appearance commissions and two -- Raleigh and Winston-Salem -- are in the process of creating such commissions. The case studies involve personal interviews with those instrumental in the establishment of the appearance commission, relevant newspaper articles and census data regarding the rate of growth and levels of education and income for the community.

The attempts to generalize about the motivation for appearance commissions was not entirely successful. In spite of this, a careful examination of the case studies for the five communities did provide an insight into motivation.

The concern shown and actions taken by the five cities with appearance commissions may be the beginning of a growing effort in North Carolina to end the visual pollution that is scarring our landscape and townscape. If so, more and more cities in North Carolina will adopt some means of aesthetic control. The appearance commission, viewed in light of the experiences of these five cities, serving as guides, can provide the necessary instrument for turning North Carolina towns and cities into aesthetically pleasing havens of refuge in a world of chrome and neon ugliness.

Approved by

*Richard H. Moore*  
Chairman, Thesis Committee

8/17/72

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" IN NORTH CAROLINA

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A Thesis  
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the Faculty of the Graduate School  
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In Partial Fulfillment  
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John W. Shore, III  
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Now, who shall arbitrate:  
Ten men love what I hate,  
Shun what I follow, slight what I receive;  
Ten, who in ears and eyes  
Match me: we all surmise,  
They, this thing, and I, that: whom shall my soul believe?

----"Rabbi Ben Ezra"

by: Robert Browning

## CHAPTER I

### INTRODUCTION

Our past is rich in lovely towns, villages, and even cities. In Colonial times Nantucket, Williamsburg, and New Orleans grew and as they grew took on charm and beauty. This occurred long before there was any thought of design control by master plans, zoning ordinances, and municipal art societies. Beauty simply seemed to happen and ripen as settlements aged.

Today, growth often brings only ugliness. Our countryside disappears before the advance of suburbia. The harmonious village changes to a chrome and neon imitation of the big city. The city becomes more monotonous, impersonal, and standardized.

What were the conditions which brought beauty into the neighborhoods of an earlier America? First, a leisurely sequence of growth allowed ample time for the builder of a new structure --- a home, barn, church, or school --- to feel in advance the nature of the surroundings, to ruminate about what design would be most appropriate as an addition to the evolving setting. However, today's rapid growth does not allow for taking the neighborhood atmosphere into consideration

when designing a building. Often the same plan is used for several locations that have very little in common. Change occurs at such a rapid pace that even if a structure is designed to fit into its surroundings, those environs may be altered within a few years.

Secondly, in Colonial times, with the relatively primitive technology, scale (the relative size of communities and structures) was limited to the capacities of the human being. Villages were measured by walking distance and the range in size of buildings depended upon a man's ability to climb stairs. The choice of building materials was much more limited than it is today, resulting in a harmony of materials that seemed to come naturally. The limited availability of colors likewise made for simpler harmonies.

The Colonial Americans were above all things dependent upon each other. This led to the clustering of homes in relation to their neighbors.

As American technology developed the mechanical lift and later the high speed elevator, the scale of buildings changed. Tall buildings arose, creating a discordant change in scale with the previously built homes, churches, and shops. Technology also introduced a variety of new building materials further adding to the visual disharmony. Rapid population increase forced rapid erection of structures with little regard being given to considerations of quality.

In earlier periods, buildings were built to last with families living in the same house from one generation to the

next. Thus it was only natural for great consideration to be given to the building of a home since it was not merely a shelter but a heritage. Today, one American family in five moves every year and one in sixteen to a town in a different county. Thus mobility has resulted in a house being viewed as impermanent.<sup>1</sup>

The culmination of these forces of rapid growth, loss of scale and new building materials has caused a proliferation of ugliness. The charm and beauty of our villages and cities are rapidly disappearing. We live in an age of aesthetic poverty.

Is the appearance of our environs important, and if it is, how can we determine what is good appearance?

"Sensations which crowd the limits of our biological abilities --- too much heat, cold, or noise --- are obvious sources of discomfort, and some of these may have long-term, cumulative effects of which we are not fully aware. Through our senses we gather information which we organize and transform as a basis for action. If this information is ambiguous or false, we are unable to carry out our purposes effectively. The environment serves as a medium of social communication by which men transmit data, values, feelings, or desired behavior to each other. As such, its look and smell and sound support the fabric of society. We have some evidence that the form of the environment can

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<sup>1</sup>Joint Committee on Design Control, Planning and Community Appearance (New York: Regional Planning Association, 1968), pp. 1-3.



encourage or frustrate individual growth. The look of our surroundings is obviously crucial to the esthetic experience, in joy of sensing the world immediately and intensely, which is an experience not confined to the gifted few."<sup>2</sup>

The total environment, which plays such an important role in the social interaction of men, contains as an integral part the visual environment, or aesthetic atmosphere. The psychological effects of aesthetic atmospheres --- within the dwelling unit and the neighborhood --- may create interest which affect people's moods. While there is reason to suspect class differentials on the importance of the variable of aesthetics, the subtle effects on mood could affect the tolerance thresholds and the texture of social interaction.<sup>3</sup> Definitive research is lacking in this area.

Whether or not government should have a role in the control of aesthetics has been widely debated. While there is a growing amount of evidence that government should enter into aesthetics in order to "promote the health, safety, morals, and general welfare of the community", what the proper role of government should be is still a question that must be resolved.

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<sup>2</sup>William I. Goodman and Eric Freund, Principals and Practice of Urban Planning (Washington, D. C.: International City Manager's Association, 1968), p. 250.

<sup>3</sup>Irving Roscow, "The Social Effects of the Physical Environment," Journal of AIP, Vol. 27, 1961, pp. 127-133. For more material concerning the social and psychological effects of the environment see a bibliography on the subject compiled by Dennis Craike in the Journal of Social Issues, "New Directions in Psychology IV," 1966. A journal started in 1968 concerns itself with this subject, Journal of Environment and Behavior, a quarterly publication by Sage Publishers.

In Europe, regulation of aesthetics has historically been viewed as a role of government. Several European countries have been employing architectural controls since the Middle Ages.<sup>4</sup>

In the United States the role of government in aesthetics has traditionally been much more limited. In 1905, a New Jersey court held that, "Aesthetic considerations are a matter of luxury and indulgence rather than necessity".<sup>5</sup> Since that time a revolution has taken place with respect to the powers of the community to regulate the individual land-owner's dealing with his own land, including what he plans to make his own property look like to the public. This has come about through the development of laws concerning erection of buildings, their materials, their height, and location. The primary thrust of these laws was not aesthetics but problems occurring from urban development. Aesthetic considerations proved to be only incidental.

The philosophy the courts have evolved since the 1905 Passic vs. Patterson Bill Posting Company<sup>6</sup> decision in which

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<sup>4</sup>Sidney Cohn, Practice of Architectural Control in Northern Europe (Chapel Hill, North Carolina: Center for Urban and Regional Studies, Institute for Research in Social Science, University of North Carolina, 1968), p. 4.

<sup>5</sup>Passic Vs. Patterson Bill Posting Co., 72 New Jersey Law 285; 62A267 (1905), p. 268.

<sup>6</sup>Passic Vs. Patterson Bill Posting Co., 72 New Jersey Law 285; 62A267 (1905).

aesthetics had no role in the considerations of government to, "If the primary and substantiative purpose of the legislation is such as justifies the act, considerations of taste and beauty may enter in, as auxiliary".<sup>7</sup> Thus the primary motivation for most existing American design regulations is a concern for maintaining realty values for the present and future owners of properties directly involved. This is on a commercial basis and is aimed especially to please tourist and stimulate business.<sup>8</sup>

Where an ordinance is aimed toward an objective which is purely aesthetic, or is intended to serve an aesthetic purpose plus another objective of the police power, there must be a balancing of community interest against those of private owners. This balance is difficult to measure due to the difficulty of assigning weights to the aesthetics factors.<sup>9</sup>

The philosophy of the courts mentioned above had evolved from the law of zoning and was extensively developed before architectural controls were subjected to judicial scrutiny. Regulation of exterior design is difficult to relate to the police power in terms of public health, safety, and morals. Measures of this kind must be justified on the ground that they contribute to the public welfare and must

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<sup>7</sup>Welch Vs. Swazey, 193 Mass 364; affirmed, 214 U. S. 41, (1909), p. 94.

<sup>8</sup>Joint Committee on Design Control, pp. 56-57.

<sup>9</sup>Robert M. Anderson, American Law of Zoning (New York: The Lawyers Co-operative Publishing Company, 1968), Vol. I, pp. 536-537.

be explained in aesthetic terms. The previous zoning decisions upheld uses of the police power which served the interests of the community but only remotely related to the common police power interest.<sup>10</sup>

The first major test of architectural controls occurred in cases involving the Vieux Carre Ordinance (New Orleans). The ordinance relied on the allegation that the public welfare would be served if the "quaint and distinctive character" of the French Quarter could be preserved. The Supreme Court of Louisiana found that the public welfare was in fact being served. It approved the aesthetic link but found additional benefit between the aesthetic preservation of the area and its commercial value.<sup>11</sup>

While the cases concerning the Vieux Carre Ordinance and others suggest that architectural controls have gained some measure of judicial tolerance, such legislation should be backed by enabling legislation containing a meticulous statement of purpose (preferably including some statement referring to property values), and a clear set of standards.<sup>12</sup>

The 1971 North Carolina General Assembly passed enabling legislation that would allow each municipality and county within the state to create a special commission dealing with Community Appearance. The Commission, upon appointment,

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<sup>10</sup>Anderson, Vol. II, p. 86.

<sup>11</sup>Ibid., p. 87.

<sup>12</sup>Ibid., p. 90.



will make a "careful study of the visual problems and needs of the municipality or county within its area of zoning jurisdiction, and shall make any plans and carry out any programs that will.... enhance and improve the visual quality and aesthetic characteristics of the municipality or county."<sup>13</sup>

The state-wide enabling legislation resulted from, and was modeled after, Chapel Hill's special legislation for a community appearance commission. Some of the powers conferred by the new enabling legislation are outlined below:

- (1) To initiate, promote, and assist in programs that bear upon community appearance;
- (2) To act as coordinator of individuals or groups whose programs bear upon community appearance;
- (3) To provide leadership and guidance;
- (4) To make surveys of the visual characteristics and problems of the community;
- (5) To prepare both general and specific plans for the improved appearance of the community;
- (6) To participate in the implementation of its plans. To this end it is granted the following powers:
  - (a) Review of public projects in its jurisdiction, and make recommendations regarding their aesthetic suitability;
  - (b) To formulate and recommend ordinances that will serve to enhance the appearance of the community;
  - (c) To seek voluntary(*italics mine*) adherence to its standards and policies;
  - (d) To conduct public meetings and hearings.<sup>14</sup>

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<sup>13</sup>North Carolina General Statutes, Chapter 160 A, Article 19.

<sup>14</sup>Ibid.

While the enabling legislation is unique in North Carolina to the extent that it deals with aesthetics, an examination of the appearance commission's powers and duties will reveal that it is relatively powerless. Indeed, its main purpose is to serve as an advisory board and educational body. The act fails to confer to either the commission or the governing board sufficient powers to implement its recommendations. Its power to formulate and recommend ordinances that would serve to enhance the appearance of the community does not confer upon the governing body the power to adopt such ordinances, and, if the ordinance is based primarily upon aesthetic considerations, then the power to enact such ordinances is lacking elsewhere in the General Statutes of North Carolina.<sup>15</sup>

The enabling legislation provides that the proper expertise needed in the performance of the commission's duties and establishing the basis of what is good for the community shall be secured in one of two manners. First, it provides that, where possible, the commission shall maintain at all times, "a majority of members who have had special training or experience in a design field, such as architecture, landscape design, horticulture, city planning, or a closely related field."<sup>16</sup> Secondly, it provides that the governing board

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<sup>15</sup>Various strategies that may be used to circumvent this powerless stance will be examined in Chapter IV.

<sup>16</sup>North Carolina General Statutes, Op. Cit.



may appropriate funds to provide staff or technical services for the commission.

What would motivate a North Carolina community to adopt such an appearance commission? What opposition would such a commission, whose primary consideration is the subjective area of aesthetics, encounter in a community? What form does such a commission take? Is it truly a civic design commission or just a glorified "plant a tree and pick up litter" commission? This study will attempt to examine these questions and reach some conclusions regarding them. It will examine five North Carolina communities, three of which have already established appearance commissions --- Chapel Hill, Carrboro, and Shelby --- and two that are in the process of adopting such a commission --- Winston-Salem and Raleigh.

A hypothesis is proposed which suggests that communities which establish a community appearance commission will have a high level of community participation, resulting from a well-developed sense of community. Moreover, they will likely possess high levels of education and income and thus be public-regarding in the sense of Banfield and Wilson's "Ethos' theory".<sup>17</sup> Finally, it is expected that they will have experienced a period of rapid growth which will have provided a sense of crisis as a result of rapidly changing surroundings.

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<sup>17</sup>Edward Banfield and James Q. Wilson, "Public Regardingness as a Value Premise in Voting Behavior," American Political Science Review, Vol. 58, (1964), pp. 876-887.

This hypothesis and the other questions raised will be examined through case studies of the five communities and by an examination of relevant census data regarding their rates of growth and level of education and income.

## CHAPTER II

### METHODOLOGY

The methodology employed in the analysis of community appearance commissions in North Carolina is basically four-fold:

- (1) analysis of the North Carolina enabling legislation;
- (2) quantitative comparisons of the five communities being studied;
- (3) brief case studies of the evolution of community appearance commissions in each of the five cities; and,
- (4) a review of literature pertinent to the study to provide insight and modes of analysis.

An analysis of the North Carolina enabling legislation for community appearance commissions will provide the framework within which each city which adopts an appearance commission must work. By examining the powers conferred on an appearance commission, one is able to ascertain in what manner a community might benefit from such a commission. This will prove of value in examining the motivation for adoption.

Quantitative comparison of the five cities being studied will utilize United States census data to compare the rate of growth, income and educational levels. This data will be used to test the hypothesis already stated, that those cities

which adopt community appearance commissions will possess high levels of citizen participation, income, education and will have experienced a period of rapid growth.

The 1970 United States Census will be used to measure income by providing the percentage of the population with incomes below the poverty level and those above \$15,000. Median school years attended by the adult population will be used to measure level of education and the percent population change between 1960 and 1970 census will be used to gauge the rate of growth.

The data for each city with an appearance commission will be compared with that of the other cities with appearance commissions, the urbanized areas within the state and with the data of the state as a whole. No statistical analysis of the data will be attempted due to the insufficient size of the sample.

Originally, the level of citizen participation in a community was to be measured by the voter turnout for local elections. It was felt that a high level of voter turnout would indicate a substantial amount of citizen interest in the local community and low turnout would indicate a feeling of apathy. Until 1965 the municipal elections in North Carolina were held in the spring, separate from statewide or national elections. These elections would provide a fine index of citizen participation in local government, however,

in 1966 North Carolina began holding its municipal elections in the fall at the same time as elections for state-wide and national offices.

It was felt that the most important time to gauge citizen participation would be in those years immediately prior to the adoption of the appearance commission and thus the years from 1966 to the present would be of paramount importance. To attribute citizen participation to those elections in which municipal offices were in contention, exclusive of any state-wide or national offices, would be valid. However it would be invalid to attribute the measure of citizen participation in the local community which was based on turnout in elections where offices were being sought on a state-wide and national basis. Turnout is higher for elections of statewide and national consequences and thus any local election which takes place in conjunction with state-wide and national elections will experience a higher turnout.<sup>1</sup> It is on this basis that the decision was made not to use voter turnout in local elections as an indicator of citizen participation at the local level.

How, then, are we to measure citizen participation at the local level? Studies of municipal elections have demonstrated that voter turnout in these elections is dependent

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<sup>1</sup>Robert P. Alford and Eugene C. Lee, "Voting Turnout in American Cities," American Political Science Review, Vol. LIX, (1964), p. 796.



upon certain socio-economic characteristics such as age, sex, level of education and income. Those groups which have higher levels of education and income are more likely to vote.<sup>2</sup>

From this we may make the assumption that where the correlation of socio-economic characteristics and voting turnout holds true for groups, it will hold true for cities. Thus, those cities which exhibit higher levels of income and education are more likely to have a greater voter turnout in a local election than those cities in which levels of education and income are lower.

The hypothesis states that those cities which have high levels of education and income will adopt an appearance commission. We can then assume that those cities which exhibit these levels of education and income will also have a high voter turnout in local elections and thus a high level of citizen participation.

Case studies of each communities' experience with appearance commissions have been made. These case studies form the major tool to be used in the analysis of each communities' experience with an appearance commission. They provide a basis for analyzing the motivation for adoption, what opposition was encountered and for what reason, and the form that the appearance commission has taken or possibly will take.

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<sup>2</sup>Howard D. Hamilton, "The Municiple Voter: Voting and Non-Voting in City Elections", American Political Science Review, Vol. LXV, No. 1, (1971), p. 1175.



The major instrument used in compiling the case studies was personal interviews with members of the appearance commission and those persons instrumental in its adoption. These individuals were identified through newspaper articles concerning the establishment of the commissions and interviews with other individuals.

Initially, interviews with all members of the commissions were planned and anyone else who might have been instrumental in the formation of the commission. Experience in Chapel Hill, the first community to be studied, demonstrated that interviews with three or four key individuals provided all the information needed and subsequent interviews added little, if any, additional information. It is for this reason that in the remainder of the cities, interviews were conducted with only a select few who were instrumental in the formation of a commission.

Problems were encountered in scheduling the interviews due to the limited amount of time available to conduct the study in each community.

In order to provide a background for research and search for a mode of analysis, literature was reviewed from a wide range of disciplines --- political science, architecture, city planning, law, sociology, and psychology. Due to the diversity of the literature, no attempt has been made to present it in one section of this paper, rather it is dispersed throughout and is discussed in the sections to which it is most relevant.

### CHAPTER III

#### CASE STUDIES

Case studies have traditionally been used in analysis focusing on a local level. They allow the researcher to gather information firsthand and obtain information that might not otherwise be available. The case studies which follow for each of the five communities were compiled from data gathered by personal interviews with appearance commission members and those persons instrumental in the establishment of an appearance commission.

#### Chapel Hill

Chapel Hill, the home of the University of North Carolina is a city dominated by the University. During the past decade the University has experienced a period of rapid growth and this growth has been reflected in the community of Chapel Hill. In 1960, Chapel Hill's population was 12,573, in 1970, 25,537, a 103 percent increase. Due to the University, Chapel Hill has the highest paid, \$10,536 median income, and best educated, 16.6 median school years completed by the adult population citizenry in the state of North Carolina.<sup>1</sup>

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<sup>1</sup>U. S. Bureau of Census. Census of Population: 1970, General Social and Economic Characteristics, Final Report PC9L0-C35 N. C.

These factors of growth, income and education have attracted many investors into the Chapel Hill area to provide housing, banking, shopping, and eating facilities as well as other services to the rapidly growing community. This flood of development has created many problems in community and has raised concern among the citizens about the loss of the "village atmosphere" that has existed in Chapel Hill.

The "village atmosphere" in Chapel Hill results from the human scale of the community, especially the central business district. The buildings in the main central business district are generally not over two stories tall. They are adjacent to the open spaces of the University and are grouped in an area slightly larger than one block. These factors coupled with the large amount of pedestrian traffic make the central business district a pleasant place to walk and shop.

Chapel Hill demonstrated an early concern with community appearance. The original planning board in Chapel Hill, established during the late 1940's, felt that Chapel Hill should adopt a Williamsburg style architecture. This idea was backed by influential people in the community and with their backing the planning board was able to persuade developers to follow this architectural style. The attempt to adopt the Williamsburg style was carried over into the 1950's. It is evidenced today in buildings that were constructed during this period.<sup>2</sup>

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<sup>2</sup>James Webb, architect and former member of the Chapel Hill Appearance Commission, personal interview held in Chapel Hill, North Carolina, June, 1972.

In 1964 a major hamburger chain proposed to acquire land across the street from the Ackland Art Museum and adjacent to a church for the establishment of one of their stands. This action outraged many of the citizens of the community and they proposed that measures be taken to stop this intrusion. Phillip Green, of the Institute of Government, was asked to draft legislation that would allow the city of Chapel Hill to regulate architecture within its limits.

Such a bill to regulate architecture was drawn up and introduced into the 1965 General Assembly as a special act for Chapel Hill.<sup>3</sup> The legislation that was adopted set up appearance districts within zoning districts. In order to get a building permit, the builder had to obtain a certificate of appropriateness for the building.

By the time special legislation had become law, the controversy which brought it about had dried up. The hamburger chain, in response to public opinion, had decided to relocate. It was then felt by the Board of Aldermen that the powers granted in the special legislation were more than needed. It was felt that while an appearance commission should be established, it should serve only as an advisory board. An ordinance to this effect was drafted and passed by the Chapel Hill Board of Aldermen.

After passage of the ordinance, some concern was expressed about its legality, since the statute providing for

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<sup>3</sup>North Carolina Session Laws, Chapter 278 (1965).



Chapel Hill's appearance commission authorized one different from that established by the Chapel Hill ordinance. However, this concern has not created a challenge to the Commission.

In 1967, the special act for Chapel Hill was amended by the General Assembly to accommodate the existing commission.<sup>4</sup> The 1971 state-side enabling legislation for community appearance commissions was modeled after this special act.

The establishment of the Chapel Hill Appearance Commission had virtually unanimous community support and no visible opposition. It's creation came about due to the hamburger stand crisis but enough support existed within the community to retain the appearance commission after the crisis had passed.<sup>5</sup>

In structuring their new appearance commission in 1965, Chapel Hill established four committees: Project Review; Established Business Areas; Thoroughfares, Parks and Public Buildings; and, Recognition and Awards. This committee structure has been retained.

The Committee on Established Business Areas reviews the appearance of existing and proposed places of business in the central business district, established regional shopping

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<sup>4</sup>North Carolina Session Laws, Chapter 414 (1967).

<sup>5</sup>Robert Stipe, Assistant Director of the Institute of Government in Chapel Hill, one of the original members of the Chapel Hill Appearance Commission, personal interview held in Chapel Hill, North Carolina, June, 1972. The history of the Chapel Hill Appearance Commission was further substantiated in the other interviews conducted in Chapel Hill. See the Bibliography for a list of interviews conducted.

centers and in the commercial areas. The committee has attempted to reach its objectives by closely coordinating its efforts with those of the local Merchants Association and individual merchants. Support by the local merchants has brought to reality many projects proposed by this committee.

The Committee on Public Thoroughfares, Parks, Historical Sites, and Public Buildings has jurisdiction over special projects related to major thoroughfares and public places. This committee has concentrated on the beautification of the major entrances to Chapel Hill through maintenance and improvement of plantings along these routes.

The Committee on Recognition and Awards was appointed to develop incentive programs for improvement of community appearance. Through letters of commendation and special awards, this committee seeks to encourage actions which improve community appearance by spotlighting those individuals and organizations which demonstrate an actual effort toward improvement.

The Project Review Committee has been the most active. This committee receives, studies, evaluates and makes recommendations on public and private building projects in "appearance districts" of the community. These appearance districts are "specific geographic areas that were designated in the 1965 legislative enabling act as the central business district, the principal entrances into town, the periphery of campus and such other areas significant to the preservation



of the visual character of the town. In determining the appearance of plans submitted to it for review, the Commission examined the psychological and physical aspects of the project as well as the visual impact."<sup>6</sup>

Initially the Commission in Chapel Hill could only request that private projects be submitted for their inspection. This resulted in 14 projects being reviewed the first year (1966-67) and 16 projects the following year (1967-68). Beginning in 1968, the Commission began reviewing applications for Special Use Permits and Building Permits. After becoming a part of the town's review process for the Special Use Permit and Building Permit, the Review Committee began reviewing more private projects; 22 in 1968-69, 31 for 1969-70 and 44 during 1970-71.<sup>7</sup>

The Chapel Hill Zoning Ordinance requires that a Special Use Permit be obtained for certain types of development. This includes apartment complexes and shopping centers. A special use permit is granted as a privilege, not a right, and as such is subject to conditions established by the local government.<sup>8</sup>

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<sup>6</sup>Chapel Hill Appearance Commission, Annual Report of the Chapel Hill Community Appearance Commission. Fiscal Year 1967-70, May 1, 1971.

<sup>7</sup>The activities and purposes of the four committees of the Chapel Hill Appearance Commissions were extracted from the annual reports of the Commission from 1966-1971.

<sup>8</sup>Harry Palmer, Planning Director of Chapel Hill, personal interview held in Chapel Hill, North Carolina, June, 1972.

It is through the review of special use permits that the Chapel Hill Appearance Commission has been able to affect the evolving community appearance. Its recommendations on special use permits have been generally followed by the Board of Aldermen.

While review of special use permits has been the Commission's most effective tool in influencing the appearance of the community, it has also been the source of opposition encountered by the Commission.

Some opposition to the Commission is centered on the right of government to dictate what a person can make his property look like, some fear that it will lead to a uniformity of building design, but the primary concern of most of the opposition is the role that the Commission plays in the review of special use permits.

Mr. Phil Rominger, a Chapel Hill realtor and developer is possibly the Commission's most vocal opponent. While in favor of the idea of an appearance commission, Mr. Rominger is opposed to the manner in which the one in Chapel Hill operates. He feels that the members of the Commission are unrealistic, whimsical and too idealistic in their recommendations. Mr. Rominger says that an appearance commission is necessary to protect against outside developers who do not intend to stay in Chapel Hill and are only looking for profits.

He believes that the present commission is a thorn in the side of all developers and is working to the detriment of the community.<sup>9</sup>

Mr. George Coxhead, a member of the Board of Aldermen, is also opposed to the Commission. While possessing philosophical reservations about appearance commissions, Mr. Coxhead is more opposed to the way the Commission is run than the idea of it as long as it is strictly advisory. He feels that the Chapel Hill Commission does more than advises, "Their recommendations have been mandatory because of the political clout they have on the Board of Aldermen. It's really the Board of Aldermen's fault for going along with the Appearance Commission". Mr. Coxhead does not feel that the Commission has the right to determine what architectural style will be used, but should only advise developers.<sup>10</sup>

Other members of the community who opposed the Commission stated objections similar to those of Mr. Rominger and Mr. Coxhead. Opposition seemed to arise more from the design review process of the Commission than from a philosophical opposition to it. There existed no opposition to the Commission as an advisory body but when the Commission was portrayed as a regulator, opposition arose.

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<sup>9</sup>Phil Rominger, local developer and realtor, personal interview held in Chapel Hill, North Carolina, June, 1972.

<sup>10</sup>George Coxhead, a member of the Chapel Hill Board of Aldermen, personal interview held in Chapel Hill, June, 1972.

The Chapel Hill Appearance Commission arose due to the sensibilities of the community being offended by a hamburger stand being placed in the middle of town next to a church and art museum. Broad powers to regulate this type of menance to the public's sensibilities were sought by and granted to the local government. After the initial crisis passed the community felt these powers were not needed and that an appearance commission could best serve as an advisory board. Since it was established the Commission has evolved from a purely advisory role toward a role similar to the one originally envisioned for it. In the future the Commission will probably become a more integral part of the planning and review process in Chapel Hill.

The members of the Commission expressed a desire for the Commission to have greater staff support in carrying out their duties. They were appropriated \$5,000 in 1971-72 for a part-time architect. However these funds were cut from the 1972-73 budget.<sup>11</sup> This lack of financial support leaves some doubt as to the ability of the Commission to expand its role in the community beyond its present level.

#### CARRBORO

Carrboro is situated immediately adjacent to Chapel Hill. Like Chapel Hill, Carrboro's economy is dependent upon the University of North Carolina at Chapel Hill. Many of the

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<sup>11</sup>Robert Stipe, personal interview held in Boone, North Carolina, August, 1972.



University's students and faculty are housed in Carrboro and a large portion of the remainder of its population is employed by the University. Carrboro has followed the growth of the University and Chapel Hill. In 1960 Carrboro's population was 1,997; in 1970, 3,472, a 73.9 percent increase in population. Carrboro's median level of income is \$8,095 and educational level is 10.7 median school years completed, are lower than Chapel Hill's.<sup>12</sup>

Carrboro's Appearance Commission resulted from a cleanup campaign conducted by the two garden clubs in town and a group of businessmen in 1969. In the process of conducting the cleanup campaign the participants discovered a common concern in the appearance of their community. This group was familiar with the Chapel Hill Appearance Commission and felt that such a commission would be beneficial to Carrboro. The group approached the Board of Aldermen with their proposal and were appointed as an ad hoc committee. When the 1971 enabling legislation was passed, an appearance commission was established from this ad hoc committee.

The ordinance establishing Carrboro's Appearance Commission was modeled after Chapel Hill's, but it was not as long and the powers are more general. It was felt by members of the Commission that the Commission would have to evolve toward Chapel Hill's design review process and that

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<sup>12</sup>U. S. Bureau of Census, op. cit.



the Commission presently lacked the people with professional design training that would be needed to conduct project reviews.

The groups that pushed the Commission saw it as a vehicle to promote an awareness within the community of problems involving appearance. In performing this educational function the Commission would then act as a coordinator of any efforts made to improve the community's appearance.

The Commission has obtained a HUD grant and employed the North Carolina Department of Community Development to conduct a neighborhood beautification study. They are now working with the Planning Board to implement the projects suggested by the study. These projects are basically cosmetic in nature. The commission is also working with clean-up campaigns and garbage disposal problems.

The Commission has received community-wide support and generated no opposition, either at its inception or in implementation of its projects. This lack of opposition to the Commission and its projects is probably due to the innocuous nature of the projects.<sup>13</sup>

The Carrboro Appearance Commission grew out of a clean-up campaign and retained an essentially cosmetic approach

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<sup>13</sup>Information concerning the Carrboro Appearance Commission was obtained from personal interviews with Mrs. Howard Thomas, Chairman of the Commission, and Fred Shamley, a member of the commission and Board of Aldermen, held in Carrboro, North Carolina, June, 1972.

to the problem of community appearance. This failure to deal with the more deep rooted problems of community appearance, such as design control, probably results more from a lack of expertise than from a lack of willingness to do so. Until sufficient funds are available to hire a consultant, or until persons with professional training in design are appointed to the Commission, the Carrboro commission will remain a "pick-up, clean-up, and plant a tree" commission.

#### SHELBY

Shelby is a manufacturing community located west of Charlotte in Cleveland County. The city has experienced an outmigration of population during the past decade. Its 1960 population was 17,698 while in 1970, 16,328; this was a 7.7 percent decrease in population. The median income for Shelby is \$7,962 and the median school years completed by the adult population are 10.8.<sup>14</sup> Its major industries are textiles, apparel products, and concrete products.<sup>15</sup>

The Shelby Appearance Commission is largely the result of one man's interest in community appearance, Lester Roark. Mr. Roark, a local businessman and city councilman, has maintained a personal interest in beautification projects over a number of years and has prompted the city council from time

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<sup>14</sup>U. S. Bureau of Census, op. cit.

<sup>15</sup>Shelby Chamber of Commerce, Shelby, North Carolina: "The City of Pleasant Living." A promotional brochure.

to time to engage in beautification projects. In January of 1971 Mr. Roark proposed to the city council that a Beautification Department be created within the city government. The proposal was approved and \$15,000 was budgeted for the Beautification Committee. Following the 1971 appearance commission enabling legislation, the Shelby Beautification Commission became the Shelby Appearance Commission.<sup>16</sup>

Since Lester Roark is the chief proponent of the Shelby Appearance Commission and was so instrumental in its adoption, his views concerning community appearance warrant further examination.

Mr. Roark has traveled extensively and this travel has heightened his aesthetic sensibilities. In addition to his travels, Mr. Roark's wife is from a village in a part of Pennsylvania that was settled by the Dutch and has adopted a village-wide Dutch theme. Mr. Roark's observations of life in this village and other places have led him to feel that the appearance of a community has an effect upon the attitudes of the people who live there. Where the surroundings are pleasant and friendly the residents are more likely to be

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<sup>16</sup>Crawford Murphy, consulting architect to the Shelby Appearance Commission, personal interview held in Shelby, North Carolina, June, 1972. Mr. Roark's role in the founding of the Commission was substantiated in other interviews.

amiable than those who live in ugly, hostile surroundings. He feels that community appearance is more than just aesthetics, it is social and psychological as well.<sup>17</sup>

In organizing the Commission in Shelby the membership was chosen from areas of the city that corresponded to the areas the councilmen were chosen from. Ostensibly this was to provide representation from all sections of the city but it also enabled each Commission member to work with and attempt to influence the Councilman from his area. Each Commission member was to be chiefly responsible for the appearance problems in his area. This provided a form of accountability between the Commission members and the residents of his area.<sup>18</sup> The Commission has not been in operation long enough to ascertain the effectiveness of this policy.

Once established, the Commission contracted with Richard C. Bell Associates, Planning Consultants and Landscape Architects to assist the Commission in "(1) building up a detailed analysis of existing visual conditions in the city of Shelby; (2) the development of a flexible policy to guide future public and private growth rather than a single plan; and (3) the cultivation of public support for such policies."<sup>19</sup>

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<sup>17</sup>Lester Roark, member of Commission and city council, personal interview held by telephone, June, 1972.

<sup>18</sup>Leon J. McDougle, Assistant Director of Housing Redevelopment and Urban Renewal in Shelby and a Commission member, personal interview in Shelby, North Carolina, June, 1972.

<sup>19</sup>Letter from Richard Bell to the Shelby Appearance Commission, May 9, 1972.



While the report is being prepared the Commission has been progressing on several landscaping projects within the city. This has included the cleaning of lots and planting of trees. Once the initial planning has been completed the Commission intends to move into areas of community appearance other than landscaping.<sup>20</sup>

The Shelby Appearance Commission began largely as the result of one man's interest in beautification but appears to have gained the support of the entire community. No opposition has yet been expressed to the Commission and support by the local citizens has been widespread. The support of the city council for Community Appearance is without precedence in North Carolina. The \$15,000 budgeted for the initial Beautification Committee far exceeds any budget the Chapel Hill Commission has had in its six year history. There has also been some indication that the Shelby Commission is willing to seek out expert advice and implement their suggestion. This combination of citizens support, local government support with money and the application of expertise would seem to bode well for the future community appearance of Shelby.

#### RALEIGH

Raleigh is the state capital and as such has its economy based on state government offices within the city.

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<sup>20</sup> Derived from the minutes of the Shelby Appearance Commission, February 10, March 9, April 6, May 11, and June 8, 1972.



Due in large measure to the large number of white collar workers employed by the State, Raleigh has a high level of income, \$10,085 median income, and a high level of education, 12.4 median school years attended by the adult population. During the past decade Raleigh has experienced a 29.4 percent population increase, from 93,931 in 1960 to 121,577 in 1970.<sup>21</sup>

There had been some discussion of a community appearance commission in Raleigh three or four years ago. Professor Robert Stipe of the Institute of Government in Chapel Hill was asked to discuss with the planning board Chapel Hill's experience with an appearance commission, however nothing resulted from this.

When the 1971 General Assembly enacted enabling legislation for appearance commissions, the Raleigh Planning Department, in their review of new legislation, suggested that Raleigh adopt such a commission. Several council members, the Mayor, and the chairman of the Planning Board agreed that such a commission would be useful.

An appearance commission was seen as a means to give some legal standing to the local government's actions directed primarily at aesthetics. Such actions would be an attempt to improve the deteriorating appearance of certain sections of the town.

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<sup>21</sup>U. S. Bureau of Census, op. cit.

An ordinance establishing an appearance commission has been passed but at this writing no members have been appointed. The establishment of an appearance commission ordinance has received no publicity or interest within the community. There has also been no opposition.<sup>22</sup>

The Appearance Commission in Raleigh has been established largely to expand the powers of the Planning Department. As such, the lack of public interest and support should not deter from its effectiveness. This integration of community appearance into the planning process is a more proper place for it than as a separate commission which does not coordinate its activities closely with the local planning agency.

#### WINSTON-SALEM

Winston-Salem is a city located in Forsyth County in the piedmont section of the state. Its economic base is tobacco and textile manufacturing. During the past decade Winston-Salem has experienced a 19.6 percent increase in population, from 111,135 in 1960 to 132,913 in 1970. The median income in the city is \$8,834 and the level of education is 11.6 median school years attended by the adult population.<sup>23</sup>

Winston-Salem has been concerned with appearance in two sections of the city for a number of years, the downtown

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<sup>22</sup>Information concerning Raleigh's adoption of an appearance commission was obtained from a personal interview with A. C. Hall, Raleigh Planning Director, July, 1972.

<sup>23</sup>U. S. Bureau of Census, op. cit.

business district and the Old Salem restoration area. Improvements in the downtown business district has been the aim of two groups for a number of years. A Chamber of Commerce Beautification Committee and the Mayors Beautification Committee have sought the help of downtown merchants in an effort to improve the appearance of the area. More recently Urban Renewal funds have been used in an effort to improve that section of town.<sup>24</sup>

The idea of an urban design commission has been bantered around in Winston-Salem for a number of years. Proposals for such a commission were made four or five years ago but they were dropped.<sup>25</sup>

Following the 1971 enabling legislation, Mayor Franklin Shirley and Alderman C. C. Ross asked the city-county planning staff to prepare for discussion an ordinance for the establishment of a urban design commission. If the ordinance met the approval of the city manager, then it would be presented to the Board of Aldermen for adoption.

The proposed commission would have seven members, all city residents appointed by the Mayor and approved by the Board of Aldermen. The Commission would include three laymen, one architect, one city or regional planner and one painter or sculptor.

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<sup>24</sup>Orville Powell, Assistant City Manager of Winston-Salem, personal interview held in Winston-Salem, North Carolina, June, 1972.

<sup>25</sup>"Design Agency Considered", Winston-Salem Journal, April 25, 1972.

Mayor Shirley felt that the commission ". . . would eliminate many of our problems architecturally and because it would affect land use it could affect many of our other ordinances. We may be helping to solve all the beautification problems we have with this ordinance."<sup>26</sup>

The proposed ordinance is a result of the city's history of concern with appearance, pressure by a number of garden clubs in the city to do something about appearance, some of the aldermen's interest in urban renewal, and the Mayor's interest in environmental matters and aesthetics. The Mayor and others felt that the present land use regulations, such as zoning, had failed to provide for good community appearance.<sup>27</sup>

The Winston-Salem Commission intends to place a heavier emphasis on design than any of the other commissions in the state. It is intended that the commission will review all building permits. It was felt that Chapel Hill's design review was fine but that it did not go far enough, nor did it have enough authority.<sup>28</sup>

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<sup>26</sup>"'Aesthetics' Law is Eyed for City," Winston-Salem Sentinel, April 13, 1972.

<sup>27</sup>Ronald Seeber, Assistant Director of Planning for Winston-Salem, personal interview held in Winston-Salem, North Carolina, July, 1972.

<sup>28</sup>Franklin Shirley, Mayor Winston-Salem, personal interview held in Winston-Salem, North Carolina, July, 1972. Emphasis his.

The proposed ordinance is still being reviewed at the time of this writing. It will probably be presented to the Board of Aldermen some time this fall. From the commitment it has received from the political leaders in the city the ordinance should pass resulting in North Carolina's most far reaching commission dealing with community appearance.



## CHAPTER IV

THE MOTIVATION FOR APPEARANCE COMMISSIONS  
IN NORTH CAROLINA

In conducting the research for this study, on no occasion in the five communities did the author hear anyone express a desire for an ugly community. Everyone interviewed indicated that good community appearance was a desirable goal. How is this goal to be pursued and at what cost?

Every effort at improving the appearance of the community bears a certain cost to that community. A "pick-up litter" effort in a community will at the very least cost the community the man-hours and equipment necessary to conduct that project. Any extended project will cost the community resources in addition to those already committed to maintaining its present level of services --- or resources will have to be redirected from ongoing projects.

Communities have limited resources and must establish priorities for the expenditure of those resources. Where in the allocation of resources does community appearance rank in relation to a water and sewer system, schools, roads, solid waste disposal, and other essential services which must be provided?

If a decision is made by a community that appearance is important and it seeks some control over future development through a method of design control, costs other than the

expenditure of resources are incurred by the community. Costs occur on an individual basis when an individual's right to do what he wishes with his property is limited by the community. This loss of freedom is not borne equally by each citizen, rather it falls most heavily upon those who will engage in those activities, such as building and remodeling, which are subject to regulation by design control measures.

What part is played by these costs, both in resources and loss of some degree of individual freedom, in motivating a community to adopt a measure of control, such as an appearance commission, will be examined in light of the hypothesis set forth. The hypothesis suggests that communities which establish an appearance commission will have a high level of community participation, resulting from a well-developed sense of community. Moreover, it is likely that they will possess high levels of education and income and thus be public-regarding in the sense of Banfield and Wilson's "'Ethos' Theory."<sup>1</sup> Finally, it is expected that they will have experienced a period of rapid growth which will have created a sense of crisis as a result of rapidly changing surroundings.

If we are to assume that the level of income and education are indices of citizen participation, as discussed in Chapter II, then we can make statements concerning the

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<sup>1</sup>Banfield and Wilson, op. cit.

level of participation by comparing each of the cities to each other and to the State of North Carolina as a whole and its urban areas.

North Carolina's median income is \$6,179 and the median school years completed by the adult population is 10.5. The figures for the urbanized areas of the State are \$6,019 median income and 11.6 median school years completed by the adult population (Table 1). These figures, when compared with those of Chapel Hill and Raleigh indicate that these two cities clearly have levels of income and education greater than that either of the State<sup>2</sup> as a whole, or the urbanized areas within it. Chapel Hill's level of income is \$10,537, which is \$4,358 or 70.5 percent greater than the State's level and \$4,518 or 75 percent greater than the median income in urbanized areas of North Carolina. Raleigh's level of income is \$10,085. This is \$3,906 or 63.2 percent more than that of the State and \$4,076 or 64.9 percent more than the median income in all urbanized areas of the State. The educational level for Chapel Hill is 16.6 median school years. This is 6.1 years or 58.1 percent greater than the State's level and 5.0 years or 43.1 percent years greater than is found in the urbanized area. Raleigh has an educational level of 12.4 years, which is 1.9 years or 18.1 percent greater than the States and 0.8 of a year more than in the urban areas of the State.

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<sup>2</sup>"State" in all instances refers to North Carolina.

TABLE 1  
LEVELS OF EDUCATION AND INCOME

Cities	Median school years completed by those 25 years old or older	Median Income (Per Family and in Dollars)	Percent with income of	
			Less than poverty level	\$15,000 or more
Carrboro	10.7	8,095	10.3	6.5
Chapel Hill	16.6	10,536	8.1	34.8
Raleigh	12.4	10,085	10.3	24.8
Shelby	10.8	7,963	13.7	12.9
Winston-Salem	11.6	8,834	13.8	19.1
North Carolina	10.5	6,179	16.3	9.0
Urban areas in N. C.	11.6	6,019	13.1	10.9

Source: U. S. Census, 1970.

Winston-Salem has a level of income of \$8,834, which is \$2,655 or 43.0 percent higher than the State's and \$2,815 or 46.8 percent higher than the urban areas of the State. The city's level of education is 11.6 years or 1.1 years above that of the State, and is the same as that for the urban areas.

Carrboro has a median income of \$8,095 which is \$1,916 or 31.0 percent greater than that of the State as a whole and \$2,076 or 34.4 percent greater than that of the urbanized areas of the State. The level of education in Carrboro is 10.7 years, only 0.2 of a year or 1.9 percent above the States level and 0.9 of a year or 7.7 percent below that of the urban areas within the State. Shelby exhibits a similar pattern with a median income of \$7,962, which is \$1,783 or 28.8 percent above the State's level and \$1,943 or 32.2 percent above the urban areas of the State but its level of education, 10.8 years, is only 0.3 of a year or 2.8 percent above that of the State and 0.8 of a year or 6.9 percent below the urbanized level areas of the State.

Following the assumption that there is a correlation between socio-economic characteristics and voter turnout, and, therefore citizen participation in the affairs of the community, we find that Chapel Hill and Raleigh, with higher levels of income and education, will clearly have a higher level of citizen participation than the State as a whole or



its urban areas. The cities of Carrboro and Winston-Salem both have higher levels of income than the State or its urban areas but their level of education does not exceed that of the urban areas and is only slightly above the State. Therefore, they should have only slightly higher than average citizen participation. Shelby has the lowest level of income of the five cities. This fact coupled with a level of education that is lower than the urban areas of North Carolina and one very close to the State level, would seem to indicate that Shelby has the lowest level of citizen participation of the five cities.

The data analyzed above would indicate that the five cities can be ranked by level of citizen participation in the following order: Chapel Hill, Raleigh, Winston-Salem, Carrboro, and Shelby.

The responses of citizens in the five cities obtained in personal interviews, would indicate that the above ranking may be somewhat inaccurate. "Community spirit" and "pride in the community" were mentioned in Shelby more often than in any of the other four cities. This emphasis on community spirit and pride seems to indicate a well-developed sense of community and a high level of community participation.

The inaccuracy in predicting community concern probably resulted from the assumption regarding voter turnout. The generalization of the correlation between socio-economic

characteristics and voting turnout from a group level to the city level was probably erroneous. This correlation would have meant that those cities with a wealthier population would have had a higher level of citizen participation. Shelby has 87.1 percent of its population with an income below \$15,000 (Table 1) yet on the basis of personal interviews it would seem to have one of the highest levels of citizen participation. Thus the attempt to successfully measure citizen participation in the five communities on the basis of economic and educational level has not been entirely successful.

The second part of the hypothesis suggests that those communities which adopt an appearance commission likely will possess high levels of education and income and thus be public-regarding in the sense of Banfield and Wilson's "'Ethos' theory."<sup>3</sup> Banfield and Wilson hypothesized that "some classes of voters (provisionally defined as 'subcultures' constituted on income and ethnic lines) are more disposed than others to rest their choices on some conception of the public interest or the 'welfare of the community.'"<sup>4</sup> They tested this hypothesis by examining local bond and other expenditure referenda in Cleveland, Chicago, Detroit, Kansas City, Los Angeles, Miami, and St. Louis, for various periods from 1956 to 1963. They found that "upper-income people tend to be more public-regarding than lower-income people.....most upper-income

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<sup>3</sup>Banfield and Wilson, op. cit.

<sup>4</sup>Ibid., p. 876.

voters belong, if not by inheritance, then by adoption, to an ethnic group (especially the Anglo-Saxon and the Jewish) that is relatively public regarding in its outlook."<sup>5</sup>

Adoption of an appearance commission by a community would be a choice made for "the public interest" or the "welfare of the community". The adopting communities would be expected to exhibit high levels of income and education and thus be public-regarding. Income would be the most important factor.

The level of income for the five cities is measured by median income and the percentage of the population falling below the poverty level and above \$15,000 yearly income (Table 1). Those cities with a high median income and a higher percentage of population above \$15,000 than below the poverty level can be said to be more upper income. Chapel Hill, Raleigh, and Winston-Salem would thus be upper income communities, while Carrboro and Shelby fall closer to the State-wide and urban averages.

For those communities which have an appearance commission, those levels of population below the poverty level and above \$15,000 income can also serve as an indicator of the resources available for such a commission. A greater percentage of the population with incomes above \$15,000 would indicate a greater per capita resource base. The percentage of population below the poverty level would give an

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<sup>5</sup>Ibid., p. 886.

indication of what level of services must be maintained by the community. A community with a low percentage below the poverty level would have to devote less resources to providing recreation and social services since these would be provided by the citizens themselves. Consequently, such a community could better afford a community appearance commission.

It would appear that a relationship between the available resources of a community and the amount it is willing to spend for community appearance does not exist. Chapel Hill which has the greatest per capita resource base of the five communities, appropriates only about \$3,000 a year for its Appearance Commission. Shelby, on the other hand, has one of the lowest per capita resource bases of the five communities, yet it appropriated \$15,000 for the operation of its appearance commission during the first year.

A third part of the hypothesis suggested that it is expected that those cities which have adopted appearance commissions will have experienced a period of rapid growth which will have provided a sense of crisis as a result of rapidly changing surroundings. This period of rapid growth and the resulting problems will prompt the community to take action to control the nature and appearance of growth.

As shown in Table 2, all the cities with the exception of Shelby experienced a greater growth rate than the State as a whole. Shelby experienced an outmigration. When the cities are compared with the growth rate for the urbanized

TABLE 2

## RATE OF POPULATION CHANGE

Cities	Population 1970	Population 1960	Percent Population Change 1960-1970
Carrboro	3,472	1,997	73.9
Chapel Hill	25,573	12,573	103.1
Raleigh	121,577	93,931	29.4
Shelby	16,328	17,698	-7.7
Winston-Salem	132,913	111,135	19.6
North Carolina	5,082,059	4,550,155	11.5
Urban Areas in N. C.	2,285,168	1,801,921	26.8

Source: U. S. Census, 1970



areas of the state, only three of the five show a greater growth rate. This third part of the hypothesis would indicate that it is sometimes difficult to attempt to generalize about the motivation for the adoption of appearance commissions. The case studies provide a much more useful tool in ascertaining this motivation.

The motivation for an appearance commission in Chapel Hill was initially to prevent a hamburger stand from building next to a church. It has evolved into an attempt to preserve the unique character of the town, the "village atmosphere". Carrboro's appearance commission evolved from a "clean-up drive". Shelby's was mainly the result of one influential man's interest in beautification. Raleigh's interest in an appearance commission is the result of a desire to obtain greater power in planning. Mayor Shirley maintained that Winston-Salem's interest is a result of the failure of present land use regulations to properly control growth.

This study has also sought to determine what opposition might be encountered in a community in the subjective area of aesthetics. As is indicated in the case studies, none of the appearance commissions encountered any opposition when they were established.

Of the five appearance commissions established or about to be established in North Carolina, Chapel Hill's is the only one to encounter any opposition. Opposition from developers and realtors occurred when a design review process

was implemented. There had been no visible opposition prior to this time. The other commissions within the State are probably perceived as innocuous commissions which have no power and thus warrant no opposition.

Any type of architectural design control encounters basically two types of opposition. First, opposition arises from those who believe that such design control is a violation of individual rights. Such opposition has a philosophical basis. Secondly, there are those who are motivated by self-interest and see any type of design control as an interference with their gain. Both types of opposition carry political consequences which must be dealt with.

A widely held assumption in American cities and towns has been that in order to survive, a city must grow. Growth has been encouraged in many ways. City councils have extended water and sewer lines, built industrial parks and have established tax advantages to encourage industrial growth. Local Chambers of Commerce have been set up as promotional agencies to attract industry. The influx of people has created new markets in housing and consumer products, thereby adding to the growing local economy.

In a community in which the philosophy "growth is essential to the community" dominates, those in the community primarily responsible for development constitute a major political force by representing growth. Any decision which

attempts to limit the freedom of these development minded groups, as would for example any type of design control, will result in a great deal of political conflict.

Several factors can counterbalance the political power possessed by the development interest. One such force is widespread citizen disillusionment with the idea that "growth is good". This disaffection can result from problems created by haphazard development. When these problems are sufficiently large to create a major inconvenience in the community, citizens begin to question the value of growth.

Another factor which can serve to counterbalance the development forces is a desire by groups such as the city council and Chamber of Commerce to selectively attract high-paying, low-polluting industries. Because such industries are sought by every community, the communities in which they locate must possess certain desirable qualities to attract them. These desirable qualities include good schools, culture, and recreation. More and more good community appearance is becoming one of the qualities used as an instrument for attracting the best industries. In order to achieve good community appearance, some control must be exercised over development, design, restoration and renewal.

What form does an appearance commission take once it is adopted? Is it truly a civic design commission or just a glorified "plant a tree and pick-up litter" commission?

Of the three established commission, Chapel Hill's comes the closest to a civic design commission. Carrboro's commission attempts no design control whatsoever and is basically concerned with cosmetic changes. Shelby's commission lies somewhere in between Chapel Hill's and Carrboro's. It covers a wider scope than Carrboro's but has not yet evolved to the design control level of Chapel Hill. While Shelby has hired a consultant, the Commission will require full-time personnel with design training before it will be able to implement design control. Winston-Salem seeks a greater level of design control than Chapel Hill while Raleigh sees their commission as a means of expanding the powers of the city planning department. We may assume the Raleigh commission will involve design control.

Since the North Carolina enabling legislation does not give either the appearance commission or the governing board the power to regulate based solely on aesthetics, various strategies must be employed to control aesthetics. One such strategy or method is through the establishment of a historic district. Such a district is created through an amendment of the zoning ordinance. Its powers to control aesthetics include:

"...no exterior portion of any building or other structure...shall be erected, altered, restored, or moved within such district until an application for a certificate of appropriateness as to exterior architectural features has been submitted to and approved by the historic district commission."<sup>6</sup>

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<sup>6</sup>North Carolina General Statutes, Chapter 160A, Article 19, Part 3.



Two other methods that can be used to circumvent the powerless stance of the commission also involve using the zoning ordinance. They are the special use permit and a conditional use permit. A special use permit is issued for certain types of development that have no established zones in which they are allowed within the city. This type of permit covers such developments as shopping centers and large scale apartment complexes. Special use permits are issued as a matter of principal, not of right, and as such must have their plans reviewed by the city.

A conditional use permit is issued for a building or some other project in a zone of a type other than that which would normally be allowed. An example of this type of permit would be placement of a convenience store in a single-family residential zone. The conditional use permit must go through a review similar to that of the special use permit.

As a part of this review process, an appearance commission can implement design control. Design control is now being conducted by the Chapel Hill Appearance Commission as a result of its role in the special use permit review. However, difficulty will remain in controlling design until legislation is enacted which will give the cities specific power to regulate in this area.

This study has examined the motivation for adoption of a community appearance commission. Attempts to generalize about such motivation have not been entirely successful.



This lack of success may be ascribed in part to the newness of appearance commissions in North Carolina and the small number which have been established. In spite of this shortcoming with the generalization we have discussed, a careful examination of the case studies of the five cities does provide an insight into motivation.

Each of the five communities which established a commission exhibited a concern for community appearance and evidenced varying capabilities for dealing with aesthetic problems. Chapel Hill has progressed further than any of the other cities toward design control. They have people available trained in architecture, landscaping and city planning. The city of Carrboro has only one artist serving on their appearance commission. Shelby has no one who is aesthetically trained but has taken the step of hiring professional consultants. Raleigh and Winston-Salem are of sufficient size to be able to provide trained personnel.

The concern shown and actions taken by these five cities with appearance commissions may be the beginning of a growing effort in North Carolina to end the visual pollution that is scarring our landscape and townscape. If so, more and more cities in North Carolina will adopt some means of aesthetic control. The appearance commission, viewed in light of the experiences of these five cities, serving as guides, can provide the necessary instrument for turning North Carolina towns and cities into aesthetically pleasing havens of refuge in a world of chrome and neon ugliness.

## APPENDIX A

## COMMUNITY APPEARANCE COMMISSIONS

## Chapter 160A.

## Cities and Towns.

## Article 19.

## Planning and Regulation of Development.

## Part 7. Community Appearance Commissions.

S.160A-451. Membership and appointment of commission. Each municipality and county in the State may create a special commission, to be known as the official appearance commission for the city or county. The commission shall consist of not less than seven nor more than 15 members, to be appointed by the governing body of the municipality or county for such terms, not to exceed four years, as the governing body may by ordinance provide. All members shall be residents of the municipality's or county's area of planning and zoning jurisdiction at the time of appointment. Where possible, appointments shall be made in such a manner as to maintain on the commission at all times a majority of members who have had special training or experience in a design field, such as architecture, landscape design, horticulture, city planning, or a closely related field. Members of the commission may be reimbursed for actual expenses incidental to the performance of their duties within the limits of any funds available to

the commission, but shall serve without pay unless otherwise provided in the ordinance establishing the commission.

Membership of the commission is declared to be an office that may be held concurrently with any other elective or appointive office pursuant to Article VI, Section 9, of the Constitution.

Sl60A-452. Powers and duties of commission. The commission, upon its appointment, shall make careful study of the visual problems and needs of the municipality or county within its area of zoning jurisdiction, and shall make any plans and carry out any programs that will, in accordance with the powers herein granted, enhance and improve the visual quality and aesthetic characteristics of the municipality or county. To this end, the governing board may confer upon the appearance commission the following powers and duties:

- (1) To initiate, promote and assist in the implementation of programs of general community beautification in the municipality or county;
- (2) To seek to coordinate the activities of individuals, agencies and organizations, public and private, whose plans, activities and programs bear upon the appearance of the municipality or county;
- (3) To provide leadership and guidance in matters of area or community design and appearance to individuals, and to public and private organizations and agencies;

- (4) To make studies of the visual characteristics and problems of the municipality or county, including surveys and inventories of an appropriate nature, and to recommend standards and policies of design for the entire area, any portion or neighborhood thereof, or any project to be undertaken;
- (5) To prepare both general and specific plans for the improved appearance of the municipality or county. These plans may include the entire area or any part thereof, and may include private as well as public property. The plans shall set forth desirable standards and goals for the aesthetic enhancement of the municipality or county or any part thereof within its area of planning and zoning jurisdiction, including public ways and areas, open spaces, and public and private buildings and projects;
- (6) To participate, in any way deemed appropriate by the governing body of the municipality or county and specified in the ordinance establishing the commission, in the implementation of its plans. To this end, the governing body may include in the ordinance the following powers:
  - a. To request from the proper officials of any public agency or body, including agencies of

the State and its political subdivisions, its plans for public buildings, facilities, or projects to be located within the municipality or its area of planning and zoning jurisdiction of the city or county.

- b. To review these plans and to make recommendations regarding their aesthetic suitability to the appropriate agency, or to the municipal or county planning or governing board. All plans shall be reviewed by the commission in a prompt and expeditious manner, and all recommendations of the commission with regard to any public project shall be made in writing. Copies of the recommendation shall be transmitted promptly to the planning or governing body of the city or county, and to the appropriate agency.
- c. To formulate and recommend to the appropriate municipal planning or governing board the adoption or amendment of ordinances (including the zoning ordinance, subdivision regulations, and other local ordinances regulating the use of property) that will, in the opinion of the commission, serve to enhance the appearance of the municipality and its surrounding areas.



- d. To direct the attention of city or county officials to needed enforcement of any ordinance that may in any way affect the appearance of the city or county.
- e. To seek voluntary adherence to the standards and policies of its plans.
- f. To enter, in the performance of its official duties and at reasonable times, upon private lands and make examinations or surveys.
- g. To promote public interest in and an understanding of its recommendations, studies, and plans, and to that end to prepare, publish and distribute to the public such studies and reports as will, in the opinion of the commission, advance the cause of improved municipal or county appearance.
- h. To conduct public meetings and hearings, giving reasonable notice to the public thereof.

Sl60A-453. Staff services; advisory council. The commission may recommend to the municipal or county governing board suitable arrangements for the procurement or provision of staff or technical services for the commission, and the governing board may appropriate such amount as it deems necessary to carry out the purposes for which it was created. The commission may establish an advisory council or other committees.

S160A-454. Annual report. The commission shall, no later than April 15 of each year, submit to the municipal or county governing body a written report of its activities, a statement of its expenditures to date for the current fiscal year, and its requested budget for the next fiscal year. All accounts and funds of the commission shall be administered substantially in accordance with the requirements of the Municipal Fiscal Control Act or the County Fiscal Control Act.

S160A-455. Receipt and expenditure of funds. The commission may receive contributions from private agencies, foundations, organizations, individuals, the State or federal government, or any other source, in addition to any sums appropriated for its use by the city or county governing body. It may accept and disburse these funds for any purpose within the scope of its authority as herein specified. All sums appropriated by the city or county to further the work and purposes of the commission are deemed to be for a public purpose and a necessary expense.

SS160A-456 to 160A-459: Reserved for future codification purposes.

## APPENDIX B

AN ORDINANCE TO ESTABLISH A COMMUNITY APPEARANCE COMMISSION  
FOR CHAPEL HILL AND ITS ENVIRONS

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WHEREAS, Chapter 278, Session Laws of 1965, authorizes the Town of Chapel Hill to establish a Community Appearance Commission; and

WHEREAS, many areas of Chapel Hill have degenerated because of inadequate planning, rapid growth, neglect of proper maintenance, and the erection of buildings and structures unsuitable to and incompatible with the character of the neighborhoods in which they are located, resulting in depreciation of property values and the impairment of the public health, safety, morals, and welfare therein; and

WHEREAS, the Appearance and character of open spaces, buildings, and structures visible from public streets and ways has a material and substantial relationship to property values and the taxable value of property in Chapel Hill; and

WHEREAS, it appears to be advantageous to the welfare of the Town of Chapel Hill and its environs that a comprehensive and continuous program of community beautification and improvement be undertaken; and

WHEREAS, the Mayor and Board of Aldermen need the active assistance and constant cooperation of many civic-minded, far-seeing citizens in their efforts to serve the best interest of the people and to direct the general beautification and aesthetic improvement of the community, therefore

BE IT RESOLVED, that the Mayor and Board of Aldermen hereby establish

THE CHAPEL HILL COMMUNITY APPEARANCE COMMISSION hereinafter referred to as the "Appearance Commission," and ordain that it be governed by the following provisions:

SECTION 1. Membership and Vacancies

The Appearance Commission shall consist of ten members, all of whom shall be citizens and residents of the Chapel Hill area of planning and zoning jurisdiction. Members shall be appointed by the Mayor and Board of Aldermen. Three of the members shall be appointed for terms of one year; three for two years; and three for three years. Their successors shall be appointed for terms of three years. Vacancies occurring for reasons other than the expiration of terms shall be filled as they occur for the period of the unexpired term. One member shall be appointed from a list of nominees submitted by the Chancellor of The University of North Carolina at Chapel Hill, and one member shall be the Chairman of the Community Appearance Committee of the Chapel Hill Planning Board, ex officio, who shall have and exercise all rights and privileges of the other members of the Appearance Commission.

In making appointments to the Commission, the Mayor and Board of Aldermen shall seek to appoint persons who possess qualities of impartiality, maturity, and broad judgment, and in whom the community at large may be expected to have confidence. Appointments shall be made in such a way as to maintain on the commission at all times not less than three members who have had special training or experience in a design profession.

Members may be immediately re-appointed to the Commission upon the expiration of terms, and they may be removed from the Commission by the Mayor and Board of Aldermen for due cause. Faithful attendance at the meetings of the Commission and conscientious performance of the duties of members shall be considered a prerequisite for continued membership on the Commission.

Members of the Commission shall serve without pay, but may be reimbursed for actual expenses incident to the performance of their duties within the limits of funds available to the Commission.

## SECTION 2. Organization, Rules, Meetings, and Records

Within thirty days after its appointment, the Appearance Commission shall meet and elect a chairman. It shall create and fill such offices as it may determine. The term of the chairman and other officers shall be one year, with eligibility for re-election. The Commission shall adopt rules for the transaction of its business and shall keep a record of its members' attendance and of its resolutions, discussions, findings, and recommendations, which records shall be open to



the public. The Commission shall hold at least one meeting monthly, and all of its meetings shall be open to the public. For the purpose of taking any official action authorized or required by this ordinance, there shall be present a quorum of four members.

SECTION 3. Powers and Duties of Commission

The Appearance Commission shall have the following powers:

1. To initiate, promote, and assist in the implementation of programs of general community beautification in Chapel Hill and its environs.
2. To seek to coordinate the activities of individuals, agencies, organizations, and groups, public and private, whose plans, activities, and programs bear upon the appearance of Chapel Hill and its environs.
3. To provide leadership and guidance in matters of design and appearance to individuals, organizations, and groups, public and private, who shall request such assistance.
4. To make studies of the visual assets and liabilities of the community, including surveys and inventories of an appropriate nature, and to suggest standards and policies of design for the entire community, any neighborhood thereof, or any individual project to be undertaken therein.
5. To prepare both general and specific plans for the improved appearance of Chapel Hill. Such plans may include the entire community or any part thereof, and may include private as well as public property. Such plans shall set

forth desirable standards and goals for the aesthetic enhancement of Chapel Hill or any part thereof, including public ways and areas, open spaces, and public and private buildings and projects.

6. To participate in appropriate ways in the implementation of such plans. To this end, the following specific powers are hereby conferred upon the Commission:

- a. To request from the proper officials of any public agency, including the Town of Chapel Hill, the County of Orange, the University of North Carolina, the Chapel Hill Recreation Commission, the Chapel Hill School District, the Chapel Hill Housing Authority, all public utilities, and any State or federal agency, its plans for public buildings, facilities, or projects in Chapel Hill and its environs.
- b. To review such plans and to make recommendations regarding their aesthetic suitability to the appropriate agency or governing board and to the Board of Aldermen. The Appearance Commission shall review such plans in a prompt and expeditious manner. All recommendations of the Commission with regard to any public project shall be in writing, and copies of said recommendations shall be transmitted promptly to the Chapel Hill Board of Aldermen.
- c. To formulate and recommend to the Planning Board and Board of Aldermen such ordinances and amendments to

- existing ordinances (including the zoning ordinance, subdivision regulations, and other local ordinances regulating the use and development of property), as will, in the opinion of the Commission, serve to enhance the appearance of Chapel Hill and its environs.
- d. To direct Town officials' attention to needed enforcement of any ordinance which in any way may affect the appearance of the Town.
  - e. To seek, through any appropriate means, voluntary adherence to the standards and policies of its plans.
  - f. To study and to make recommendations to the Board of Aldermen concerning implementation of the powers conferred upon the Town of Chapter 278 of the Session Laws of 1965.
  - g. To enter, in the performance of its official duties and with the permission of the property owner, upon private lands and make examinations or surveys.
  - h. To promote public interest in and an understanding of its recommendations, studies, and plans, and to that end to prepare, publish and distribute to the public such studies and reports as will, in its opinion, advance the cause of improved community appearance.
  - i. To conduct such public meetings and hearings as may in its judgment be deemed necessary, giving reasonable notice to the public thereof.

- j. To conduct an annual meeting at which the programs, progress, problems, and policies of the Commission shall be presented, and at which the public at large shall be invited to express itself on matters relating to the Town's appearance.

#### SECTION 4. Staff

Within the limits of funds available to it, the Appearance Commission may recommend to the Board of Aldermen or Town Manager, as may be appropriate: (1) Employment of a Director (who may be the Planning Director) and such other employees and staff as may be necessary for the performance of the duties authorized herein and advise the Town Manager regarding the compensation and regulations affecting the working conditions of such employees; (2) contracts with persons, firms, or corporations for special or technical service; (3) contracts with the State of North Carolina or the Federal government, or any agency or department thereof, with the University of North Carolina, the Town of Carrboro of the County of Orange, or any agency or department thereof, for such services and other benefits which may be available from such agencies, and to carry out the provisions of such contracts or agreements.

Members or employees of the Appearance Commission, when authorized by the Commission, may attend urban and community design conferences, meetings, schools, and institutes, and the Commission may, by formal and affirmative vote, pay,

within the Commission's budget, the reasonable expenses incident to such attendance.

SECTION 5. Advisory Council, Committees

The Appearance Commission may establish an unofficial Advisory Council and may cooperate with this Council, when in the Judgment of the Commission such a Council will be an aid to the performance of its duties. However, the Commission shall not delegate to such advisory council any of its official prerogatives. In addition, the Appearance Commission may, from its own membership, establish any temporary or permanent committees needed to assist it in the study of specific questions and problems.

SECTION 6. Annual Report; Analysis of Expenditures; Budget Request

The Appearance Commission, shall no later than May 1 of each year, submit in writing to the Board of Aldermen a written report of its activities, an analysis of its expenditures to date for the current fiscal year, and, for review and approval, its requested budget of funds needed for operation during the ensuing fiscal year. All accounts and funds of the Commission shall be administered in accordance with the requirements of the Municipal Fiscal Control Act.

The Appearance Commission is hereby authorized to receive contributions from private agencies, foundations, organizations, individuals, the State or Federal government, or any other source, in addition to any sums which may be appropriate for its use by the Board of Aldermen of the Town of Chapel Hill.



It may accept and disburse such contributions for special purposes or projects, subject to any specified conditions which it deems acceptable, whether or not such projects are included in the approved budget.

SECTION 7. Repeal and Date of Effect

Any ordinance or parts of ordinances in conflict with this ordinance are hereby repealed, and this ordinance shall be in full force and effect as an ordinance of the Town of Chapel Hill from and after the date of its adoption by the Board of Aldermen.

SECTION 8. Validity

Should any section, paragraph, sentence, clause, or phrase of this resolution and ordinance be declared unconstitutional or invalid for any reason, the remainder of the resolution and ordinance shall not be affected thereby.

## APPENDIX C

AN ORDINANCE TO ESTABLISH AN APPEARANCE COMMISSION  
FOR CARRBORO AND ITS ENVIRONS

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WHEREAS, Carrboro has gone through a period of rapid growth and development that has resulted in fundamental changes in the very character of the community; and

WHEREAS, all indications are that such growth will continue at rapid rates for many years; and

WHEREAS, in the process of growth and development it is particularly important that the community remain cognizant of its visual development, aware of the vitally important role that beauty plays in the lives of each citizen; and

WHEREAS, the Mayor and Board of Aldermen need the support and assistance of many citizens in their efforts to make and keep the community of Carrboro a pleasant, and beautiful place in which to live, therefore

BE IT RESOLVED that the Mayor and Board of Aldermen hereby establish

THE CARRBORO APPEARANCE COMMISSION

and ordain that it be governed by the following provisions.

SECTION 1. Membership

The Carrboro Appearance Commission shall consist of nine members, all of whom shall be residents of the Carrboro area of

planning and zoning jurisdiction or operators of businesses within said jurisdiction. Members shall be appointed by the Mayor and Board of Aldermen. Three of the members shall be appointed for terms of one year; three for two years and three for three years. Their successors shall be appointed for terms of three years. Vacancies occurring for reasons other than the expiration of terms shall be filled as they occur for the period of the unexpired term.

Members may be immediately re-appointed to the Commission upon the expiration of terms, and they may be removed from the Commission by the Mayor and Board of Aldermen for due cause. Faithful attendance at the meetings of the Commission and conscientious performance of the duties of members shall be considered a prerequisite for continued membership on the Commission.

In making appointments to the Commission the Mayor and Board of Aldermen shall seek to appoint persons with impartial and broad judgment and, when possible, persons with training and/or experience in a design profession. Also, as wide a range of community interests as possible should be represented on the Commission.

Members of the Commission shall serve without pay, but may be reimbursed for actual expenses incident to the performance of their duties within the limits of funds available to the Commission.

## SECTION 2. Organization, Rules, Meetings and Records

Within thirty days after its appointment, the Carrboro Appearance Commission shall meet and elect a chairman. It shall create and fill such offices as it may determine. The term of the chairman and other officers shall be one year, with eligibility for re-election. The Commission shall adopt rules for the transaction of its business and shall keep a record of its members' attendance and of its resolutions, discussions, findings, and recommendations, which records shall be open to the public. The Commission shall hold at least one meeting monthly, and all of its meetings shall be open to the public. For the purpose of taking any official action authorized or required by this ordinance, there shall be present a quorum of four members.

## SECTION 3. Powers and Duties of the Commission

1. To initiate, promote and assist in the implementation of programs of general community beautification in Carrboro and its environs.
2. To seek to coordinate the activities of individuals, agencies, organizations and groups, public and private, whose plans, activities, and programs bear upon the appearance of Carrboro and its environs.
3. To direct the attention of the Mayor and the Board of Aldermen to ways in which the town government may take direct action affecting the appearance of Carrboro and its environs.

SECTION 4. Annual Report; Analysis of Expenditures; Budget Request

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The Carrboro Appearance Commission shall report at least twice a year to the Mayor and Board of Aldermen. It shall submit its requested budget of funds needed for operation during the ensuing fiscal year to the Town Manager no later than May 1. All accounts and funds of the Commission shall be administered in accordance with the requirements of the Municipal Fiscal Control Act.

The Carrboro Appearance Commission is hereby authorized to receive contributions from private agencies, foundations, organizations, individuals, the State or Federal government, or any other source, in addition to any sums which may be appropriated for its use by the Board of Aldermen of the Town of Carrboro. It may accept and disburse such contributions for special purposes or projects, subject to any specified conditions which it deems acceptable, whether or not such projects are included in the approved budget.

SECTION 5. Repeal and Date of Effect

Any ordinance or parts of ordinances in conflict with this ordinance are hereby repealed, and this ordinance shall be in full force and effect as an ordinance of the Town of Carrboro from and after the date of its adoption by the Board of Aldermen.



## SOURCES CONSULTED

## A. Books

- Anderson, Robert M., American Law of Zoning. New York: The Lawyers Co-operative Publishing Company, 1968.
- Cohn, Sidney., Practice of Architectural Control in Northern Europe. Chapel Hill, North Carolina: Center for Urban and Regional Studies, Institute for Research in Social Science, University of North Carolina, 1968.
- Goodman, William I., and Freund, Eric., Principals and Practice of Urban Planning. Washington, D. C.: International City Manager's Association, 1968.
- Hosken, Fran P., The Language of Cities: A Visual Introduction to the Form and Function of the City. New York: The Macmillian Company, 1968.
- Joint Committee on Design Control. Planning and Community Appearance. New York: Regional Planning Association, 1968.
- Lynch, Kevin, Image of the City., Cambridge, Mass.: MIT Press, 1964.
- Turnard, Christopher, and Pushkarev, Boris, Man-Made America: Choose or Control. New Haven, Conn.: Yale Press, 1963.
- Wolfe, M. R., and Shinn, R. D., Urban Design Within the Comprehensive Planning Process., Seattle: University of Washington Press, 1970.

## B. Articles

- Alford, Robert P., and Lee, Eugene C., "Voting Turnout in American Cities," American Political Science Review, Vol. LIX, (1964), 796.
- Banfield, Edward, and Wilson, James Q., "Public Regardingness as a Value Premise in Voting Behavior." American Political Science Review, Vol. LIX, (1964), 876.
- Hamilton, Howard D., "The Municipal Voter: Voting and Non-Voting in City Elections," American Political Science Review, Vol. LXV, (1971), 1175.

Roscow, Irving, "The Social Effects of the Physical Environment." Journal of the American Institute of Planners, Vol. 27, (1960), 127.

#### C. Public Documents

Chapel Hill, North Carolina. An Ordinance to Establish an Appearance Commission for Chapel Hill and its Environs (1966).

Carrboro, North Carolina. An Ordinance to Establish an Appearance Commission for Carrboro and its Environs (1971).

North Carolina. General Statutes, Chapter 160A.  
\_\_\_\_\_, Session Laws (1965 and 1967).

U. S. Bureau of Census. Census of Population, 1970: General Social and Economic Characteristics, Final Report  
PC (1) - C 35 North Carolina.

#### D. Newspapers

Winston-Salem Journal. "Urban Design Commission is Proposed,"  
April 13, 1972.

\_\_\_\_\_. "Design Agency Considered,"  
April 25, 1972.

Winston-Salem Sentinel. "'Aesthetics' Law is Eyed for City,"  
April 13, 1972.

\_\_\_\_\_. "City Officials Hear History  
of Urban Design Campaign," May 15, 1972.

#### E. Court Cases

Passic Vs. Patterson Bill Posting Company, 72 New Jersey Law  
285; 62A267 (1905)

Welch Vs. Swazey, 193 Mass. 364; affirmed, 214 U. S. 41 (1909)

## F. Interviews

### Carrboro

Shamley, Fred, a member of the Carrboro Appearance Commission and Board of Aldermen and businessman, personal interview held in Carrboro, North Carolina, June, 1972.

Thomas, Mrs. Fred, Chairman of the Carrboro Appearance Commission, housewife and artist, personal interview held in Carrboro, North Carolina, June, 1972.

### Chapel Hill

Cohn, Sidney, Professor of City and Regional Planning, UNC - Chapel Hill and present Chairman of the Chapel Hill Appearance Commission, personal interview held in Chapel Hill, North Carolina, June, 1972.

Coxhead, George, insurance salesman and member of the Chapel Hill Board of Aldermen, personal interview held in Chapel Hill, North Carolina, June, 1972.

Craige, Mrs. Hazel, member of the Chapel Hill Appearance Commission and housewife, personal interview held in Chapel Hill, North Carolina, June, 1972.

Giduz, Roland, a member of the Chapel Hill Board of Aldermen in 1965. Personal interview held in Chapel Hill, North Carolina, June, 1972.

Kaiser, Ed, member of the Chapel Hill Appearance and Professor of City and Regional Planning at UNC - Chapel Hill, personal interview held in Chapel Hill, North Carolina, June, 1972.

Kyser, Mrs. Georgia, member of the Chapel Hill Appearance Commission and housewife, personal interview held in Chapel Hill, North Carolina, June, 1972.

Palmer, Harry, Planning Director for Chapel Hill, personal interview held in Chapel Hill, North Carolina, June, 1972.

Rominger, Phillip, local developer and realtor, personal interview held in Chapel Hill, North Carolina, June, 1972.

Scroggs, Ross, Chairman of Chapel Hill Planning Commission in 1965, personal interview held in Chapel Hill, North Carolina, June, 1972.

Stipe, Robert, Assistant Director of the Institute of Government in Chapel Hill, and one of the original members of the Chapel Hill Appearance Commission, personal interviews held in Chapel Hill, North Carolina, June, 1972, and Boone, North Carolina, August, 1972.

Webb, James, member of Chapel Hill Appearance Commission and architect, personal interview held in Chapel Hill, North Carolina, June, 1972.

Williams, Robert, D.D.S., developer, personal interview held in Chapel Hill, North Carolina, June, 1972.

#### Raleigh

Hall, A. C., Raleigh Planning Director, personal interview held in Raleigh, North Carolina, July, 1972.

#### Shelby

McDougle, Leon J., a member of the Shelby Appearance Commission and Assistant Director of Housing and Redevelopment and Urban Renewal in Shelby, personal interview held in Shelby, North Carolina, June, 1972.

Murphy, Crawford, consulting architect to the Shelby Appearance Commission, personal interview held in Shelby, North Carolina, June, 1972.

Roark, Lester, member of the Shelby Appearance Commission and City Council, personal interview held by telephone, June, 1972.

White, W. P. Dinsmoor, Jr., Consulting architect to the Shelby Appearance Commission, personal interview held in Chapel Hill, North Carolina, June, 1972.

Wilson, Hackett, member of the Shelby Appearance Commission, personal interview held in Shelby, North Carolina, June, 1972.

#### Winston-Salem

Powell, Orville, Assistant City Manager of Winston-Salem, personal interview held in Winston-Salem, North Carolina, June, 1972.

Seeber, Ronald, Assistant Director of Planning for Winston-Salem, personal interview held in Winston-Salem, North Carolina, July, 1972.

Shirley, Franklin, Mayor of Winston-Salem, personal interview held in Winston-Salem, North Carolina, July, 1972.

G. Other Sources

Shelby Chamber of Commerce. Shelby North Carolina: "The City of pleasant Living." Shelby, North Carolina: Shelby Chamber of Commerce, 1971.

Bell, Richard. Business letter to Shelby Chamber of Commerce, May 9, 1972.